

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DOUGLAS JOSEPH DAYRIDER,

Defendant.

CR-19-05-GF-BMM

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS**

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on June 7, 2023. (Doc. 68.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on June 6, 2023. (Doc. 327) The United States accused Douglas Dayrider, (Dayrider) of violating his conditions of supervised release 1) by failing to report for sex offender treatment on three separate occasions; 2) by failing to report for substance abuse treatment; 3) by

committing another crime; and 4) by failing to complete his sex offender treatment program. (Doc. 61.)

At the revocation hearing, Dayrider admitted that he had violated the terms of his supervised release 1) by failing to report for sex offender treatment on three separate occasions; 2) by failing to report for substance abuse treatment; 3) by committing another crime; and 4) by failing to complete his sex offender treatment program.(Doc. 64.) Judge Johnston found that the violations Dayrider admitted proves serious and warrants revocation of his supervised release and recommends a custodial sentence of 1 year and 1 day with no supervised release to follow. (Doc. 68.) Dayrider was advised of his right to appeal and his right to allocute before the undersigned. He waived those rights. (Doc. 64.) The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 68) are **ADOPTED IN FULL. IT IS FURTHER ORDERED** that Defendant Douglas Joseph Dayrider be sentenced to the Bureau of Prison for 1 year and 1 day with no supervised release to follow.

DATED this 8th day of June, 2023.



Brian Morris, Chief District Judge
United State District Court